

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

DAVID EADS,

Plaintiff,

V.

DR. DAVE CHENEY,

Defendant.

CV 323-047

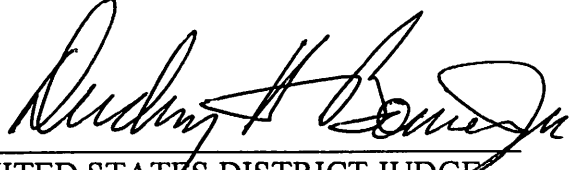
ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 51.) Plaintiff emphasizes that he believes the delay he experienced in receiving medical care amounts to cruel and unusual punishment, and he argues the Eleventh Amendment does not shield Dr. Cheney from liability. (*Id.* at 3-5.) However, he fails to address the crux of the relevant analysis set forth in detail in the Report and Recommendation, which explains no reasonable juror could find Dr. Cheney acted with subjective recklessness or caused Plaintiff any injury. (Doc. no. 49, pp. 8-12.) Thus, nothing in Plaintiff's objections changes the analysis that summary judgment in favor of Dr. Cheney is appropriate.

Accordingly, the Court **OVERRULES** all objections, **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, and **GRANTS** Dr. Cheney's motion for summary judgment. (Doc. no. 43.) Because the Court previously granted the motion to

dismiss by Mr. Holdren, (doc. no. 40), the Court **DIRECTS** the Clerk to enter an appropriate final judgment in favor of both Dr. Cheney and Mr. Holdren and **CLOSES** this civil action.

SO ORDERED this 11th day of March, 2025, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE